

REMARKS

Amendment of the Specification

The specification at page 7 has been amended to recite: "For example, intracellular calcium mobilization through release of Ca^{2+} from internal storage sites is triggered by clustering of membrane glycoproteins in Concanavalin A-stimulated platelets [67]." This sentence describes in more detail the content of reference 67 Ramaschi et al. (1993) Vol. 11:241-249 (1993) which was incorporated by reference in the specification. The insertion is further supported by the recitation of the title of the reference which is listed on page 56 (last reference on that page). The material incorporated from the cited reference is a portion of the subject matter of that reference that was intended by Applicant to be incorporated by reference in the specification. The amendment of the specification does not add new matter to the specification.

Amendment of the Claims

New claims 142-155 have been added which all read on the elected species below. New claims 142 and 143 are supported by original claims 49 and 50, respectively. New claims 144 and 148 are supported by original claim 96. New claim 145 and 146 are supported by structures in Schemes 2 and 3, where Scheme 3 illustrates exemplary linker groups and in the generic structures found on pages 24-27. New claim 147 is supported at page 21, lines 9-10. New claims 149 and 150 are supported by original claims 102 and 103, respectively. New claim 151 is supported in the specification at page 4, lines 10-15. New claim 152 is supported by the specification at page 7 as amended above to recite a more detailed description of the content of cited reference 67 (Ramaschi et al. 1993) which refers to stimulation of release of calcium from cells.. This reference is of record in this case. New claims 153 is supported in the specification at page 41, lines 13-15. New claim 154 is supported in the specification at page 14, line 4. New claim 155 is supported in the specification at page 14, lines 15-20. New claims 156 and 157 are supported in the specification at page 8, lines 1-3. The

new claims are fully supported by the specification and claims as filed and do not add new matter to the specification.

Obvious typographic errors have been amended in claims 22 and 46. These amendments do not add new matter to the specification.

The Restriction Requirement and Election of Species

The Examiner has required election of one of twelve Groups of claims that the Examiner alleges represent distinct inventions that would represent an undue burden to examine together. Applicants elect prosecution of the claims of Group I (claims 1 (in part) claims 2-47, 56-95 and 140-141. Applicants make this election with traverse because it is believed that the restriction is excessive and that concurrent examination of certain other groups along with those of the elected Group I claims would not represent an undue burden upon the patent office.

With respect to the restriction between the claims of Group I and II, the basis of the restriction is that the methods of Group I and Group II are distinguished in being practiced *in vitro* or *in vivo*. The Examiner alleges that these two Groups of claims relate to different methods. Because they use different steps, reagents and/or will produce different results. The Examiner has however not stated what different steps or reagents differentiate the methods and what results will be different for the two methods. Applicant notes that the Examiner has required similar elections of species with the Group I and Group II claims. Applicants submit that while there may be differences in steps, reagents and results between the claims of Group I and II that those differences are not sufficient to represent an undue burden that requires restriction. Applicant points out that generic claim 1 encompasses all of *in vivo*, *in vitro* and *ex vivo* methods and the ability to write a generic claim in and of itself demonstrates the significant relationship among such methods (there is overlap in cell type, overlap in biological process and overlap in type of multivalent ligand). In view of these

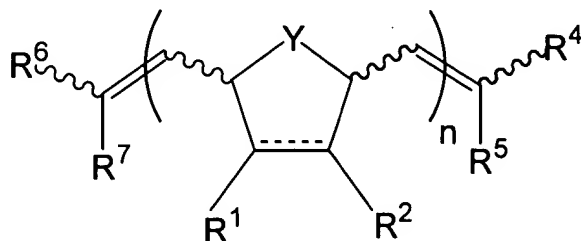
relationships among the methods practiced in different environments and Applicant's desired to claim the invention generically, Applicant submits that the differences between *in vivo* and *in vitro* practice of the methods at most amounts to a matter that could be dealt with by imposing another requirement of election of species to select between *in vivo* and *in vitro* practice of the methods. Applicant is entitled to examination of a reasonable number of distinct species that are linked by allowable generic claims. Applicant respectfully requests withdrawal of the restriction requirement with respect to Groups I and II and requests that the claims of Groups I and II be examined together.

The Examiner has also required election of certain species on election of different Groups of claims. With respect to Applicant's election of the claims of Group I, the following election of species is made:

Cell type--human cells which are a subset of mammalian cells which, in turn, are a subset of eukaryotic cells;

Biological response--release of intracellular signal (B4, from list on page 8 of the office letter) with the further election of that the release of signal is enhanced or initiated;

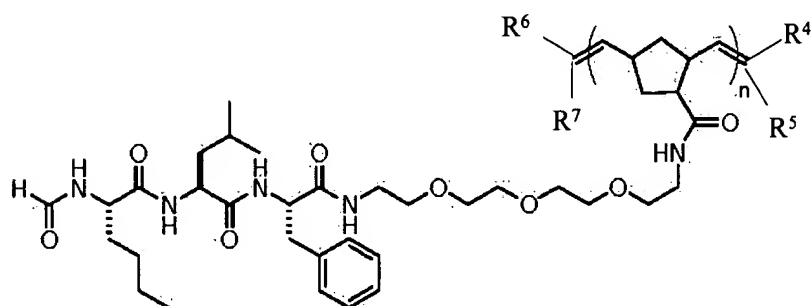
Species of multivalent ligand--ROMP-formylated peptide of structure:



where Y is -CH₂-, the bond in the ring is a single bond, n is an integer ranging up to 1000 (particularly 50 or more), R⁴⁻⁷ are H or organic groups, particularly organic groups that are alkyl groups,

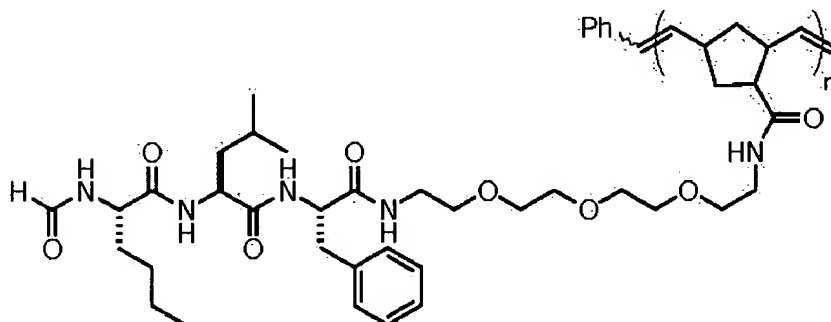
alkenyl groups, or aryl groups, and more specifically R^{4-6} are H and R^7 is an aryl group; R^1 is H or an organic group, and more specifically R^1 is H; and R^2 is -L-RE or -L-SER, more specifically RE or SER is an N-formyl peptide and L is an ether linker;

Specifically a multivalent ligand of structure:



where R^{4-7} are H or an organic group, particularly organic groups that are alkyl groups, alkenyl groups, or aryl groups, and more specifically R^{4-6} are H and R^7 is an aryl group and n is an integer of 50 or more;

More specifically a multivalent ligand of structure:




where n is an integer of 50 or more and more specifically (if needed) where n is 250.

Applicant makes the election of species as outlined above with traverse because the application contains allowable generic claims (such as claim 1, claim 28 and claim 144 which are allowable.

Claims 1-3, 17-30, 41, 42, 59, 60, 62, 64, 66, 68, 71-74, 81-86, 90-92, 94, 95, and 140-157 read on the elected species.

This response is accompanied by a Petition for Extension of Time and requisite fee. Sixteen dependent claims were added. A check in the amount of \$1,149 that includes an extension fee of \$1005 and claims fees of \$144.00. If the enclosed amount is incorrect, please charge any deficiency or credit any overpayment to deposit account 07-1969.

Respectfully submitted,


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